

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.7390 of 2008
ANIL CHAURASIA
Versus
THE STATE OF BIHAR
with

Cr.Misc. No.10080 of 2008
DHANESH KUMAR PRASAD
Versus
STATE OF BIHAR

3 24/06/2008

Above noted both the applications have arisen out of one occurrence i.e. Phulwaria P.S. Case No. 138 of 2007 as such they have been heard together and are being disposed of by this common order.

The petitioners are accused of a case registered under sections 302, 201/34 of Indian Penal Code.

According to the informant who is a Dafadar, a lady Sarswati Devi aged about 45 years residing with the family of Lalan Pandit was killed and her dead body was being carried. Suspicion was raised that Lalan Pandit eliminated that lady only with a purpose to get rid of her. The dead body was being taken away on the vehicle belonging to the petitioner Anil Chaurasia which was being driven by the petitioner Dhanesh Kumar Prasad.

Submission is that the allegation under section 302 Indian Penal Code is not made out against the petitioners. At best the allegation against them comes under section 201 of the Indian Penal Code.

Considering the facts and circumstances of the case, the petitioner Anil Chaurasia of Cr. Misc. No. 7390 of 2007 and the petitioner Dhanesh Kumar Prasad of Cr. Misc. No. 10080 of 2008 are

directed to be released on bail on furnishing of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Gopalganj in connection with Phulwaria P.S. Case No. 138 of 2007.

avin.

(Shyam Kishore Sharma, J.)

